



Atty. Dkt. No. 016891-0830

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P. D. G. A. H. E. L.
06/26/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fumikazu KANEHARA
Title: PACKET PROCESSING
APPARATUS, AND PACKET
PROCESSING METHOD
Appl. No.: 09/731,659
Filing Date: 12/08/2000
Examiner: Unknown
Art Unit: 2661

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTOSB/08B is a listing of document(s) known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of the listed document(s) is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed before the mailing date of a first action under the provisions of 37 C.F.R. § 1.97(b)(3). In the alternative, the

instant Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(c)(1).

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states in accordance with 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

RELEVANCE OF EACH DOCUMENT

The documents listed on the attached PTO/SB/08B were cited as being relevant during the prosecution of the corresponding Japanese application. A copy of an English language abstract of the listed documents, if available, is being provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider this document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Examiner in the corresponding Japanese patent application has commented as follows:

A. The invention relating to the following claims of the application are based upon publications that had been published in Japan and overseas before the submission of the application; it cannot receive a patent under the stipulations of Article 29, Section 2 of the Patent Law because it could easily been invented by a person with common knowledge of the technological field to which it belongs.

Annotation

1. Japanese Unexamined Patent Application Publication H11-275143

2. Japanese Unexamined Patent Application Publication H10-285215

3. Japanese Unexamined Patent Application Publication H5-114913

Claims 1-8

As described in Cited Examples 1-3, the switching of the transmission between a connectionless-type (packet switching) and a connection-type (circuit switching) depending on the amount of data being transmitted is a common form of control, and is nothing more than similar switching that is performed in transmission using IEEE 1394.

Record of Prior Art Literature Search Results

Fields Searched H04L 12/56

Prior Art Literature Japanese Unexamined Patent Application
Publication H2-171062

Japanese Unexamined Patent Application Publication H8-
65342

Japanese Unexamined Patent Application Publication H6-
104930

Japanese Unexamined Patent Application Publication H7-
273800

Japanese Unexamined Patent Application Publication H11-
177588

Japanese Unexamined Patent Application Publication 2000-
32053

Japanese Unexamined Patent Application Publication H11-
234313

Reference H11-234313 listed above is in the same family of patents as U.S. Patent No. 6,360,287 submitted herewith.

Please note that this Record of Prior Art Literature
Search Results does not constitute a reason for rejection.

It is believed that the instant information disclosure statement is being filed prior to the mailing date of any Notice of Allowance or Final Office Action. However, if this information disclosure statement is filed after the mailing date of the Notice of Allowance or Final Office Action, then applicant(s) hereby request(s) and authorize(s) the PTO to charge the fee under 37 CFR 1.17(p) to Deposit Account No. 19-0741.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08B be returned in accordance with M.P.E.P. § 609.

Respectfully submitted,

Date June 14, 2002

By *David A. Blumenthal* SC, 409

FOLEY & LARDNER
Customer Number: 22428

For David A. Blumenthal
Attorney for Applicant
Registration No. 26,257



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5407
Facsimile: (202) 672-5399



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Attorney Docket No. 016891-0830

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CERTIFICATE OF MAILING

Assistant Commissioner for Patents
Washington, D.C. 20231

Assistant Commissioner:

I hereby certify that the following paper(s) and/or fee along with any attachments referred to or identified as being attached or enclosed are being deposited with the United States Postal Service as First Class Mail under 37 C.F.R. § 1.8(a) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

1. Information Disclosure Statement
2. Form PTO SB/08
3. Postcard

Respectfully submitted,

June 14, 2002
Date

Ronald Corbitt 36,489
For David A. Blumenthal
Reg. No. 26,257

Foley & Lardner
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5407
Facsimile: (202) 672-5399